

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

06 MAY -1 AM 10:30

Michael J. Mirras
Plaintiff

Vs.

Case No.: CV-05-J-2360-S

Trans Union LLC
Defendant

**MOTION FOR PROTECTION FROM
DEPOSITION DUCES TECUM OF PLAINTIFF**

Comes now the Plaintiff and motions the court for protection from certain questions and responses to the Defendant Trans Unions Deposition Duces Tecum:

The Plaintiff has been issued Notice of Deposition Duces Tecum via e-mail on or about 27 April 2006 from the Defendants Attorney of record Marc Kirkland.

The Plaintiff has agreed to meet with the Defendant at the Bessemer Library in Bessemer AL. on May 4, 2006 at 9:30 AM in fact the Plaintiff has made the meeting location arrangements for this deposition.

The Plaintiff wishes to cooperate on all issues or questions that are reasonable to the climax of this litigation.

The Defendant asks unreasonable questions and requests for production and for documents that are not related to or impact these proceedings. The deposition is overly broad and unduly burdensome. The Plaintiff takes exception to these questions based on the fact that they request

34 confidential/privileged information credit card documents and statements/documents from
35 parties NOT involved in any manner with this action. And documents going back in time for
36 more then 12 years. Plaintiff will elaborate on these questions in the following statements.

37
38 Plaintiff invokes Rule 45c (3) (A)(iii)(iv)

39
40 Plaintiff has attached a copy of the Defendant Trans Union LLC's Notice of Deposition Duces
41 Tecum of Plaintiff Michael J. Mirras for the court's convenience. Question followed by number
42 references the questions in the deposition attached.

43
44 Question 1-The Defendant has requested the addresses of the Plaintiff going back in time for 10
45 years and also the Plaintiffs employers for the same period in time. Drivers licenses for 10 years.

46 ***Defendant has current Copy of Plaintiffs Alabama driver's license US Passport and Birth**
47 **Certificate.** Only documents relative to Trans Union in this action should be allowed.

48 Documents pertaining to the Plaintiffs bills, invoices, canceled checks, credit report of other
49 credit reporting agencies and disputes with other credit reporting agencies other then Trans
50 Union are confidential/privileged in nature and there is no other pending litigation with those
51 other entities. Burdensome and irrelevant in this action to produce.

52
53 Question 2-The Plaintiff can produce his current social security card and does not have any other
54 card to submit or produce in his possession.

55
56 Question 3-The Defendant has been submitted copies of these documents and has produced those
57 copies to the Plaintiff on or about February 3rd 2006, in a packet of over 700 pages received from
58 the Defendant, which contained the Plaintiffs Credit reports and dispute letters from

approximately 2002 forward through February 2006. In those documents the Defendant has copies of the Plaintiffs Birth Certificate SS card and drivers license and U.S. Passport. ***The Plaintiff will be pleased to provide for examination the original of these documents at the deposition, to request documents that are not available going back 12 years or more is unreasonable and burdensome.**

Question 4- Consumer reports of other Credit Reporting Agencies are also confidential/privileged in nature and as the Plaintiff has NO pending litigation involved with these other companies is burdensome and irrelevant in this action to produce.

Question-5 No Objection

Question 6- Only documents relative to Trans Union in this action should be allowed. Documents pertaining to the Plaintiffs bills, invoices, canceled checks, credit report of other credit reporting agencies and disputes with other credit reporting agencies other then Trans Union are confidential/privileged in nature and there is no other pending litigation with those other entities. Burdensome and irrelevant in this action to produce.

Question 7- Copies of all Plaintiffs credit card/charge card front and back for seven years presents a security issue and is also confidential/privileged in nature. Plaintiff would be subject to other issues if those documents were to become lost or misplaced.

Question 8- Plaintiff can and will produce only those documents relevant to Trans Union in this action in claims made in his complaint from 2002 forward. Asking to produce documents 10 years old is burdensome and irrelevant in this action to produce when they do not apply to Trans

84 Union and the allegations in the complaint. However the Plaintiff can produce Credit Reports
85 from Trans Union only, going back 10 years and would be willing to do so.
86

87 Question 9- Plaintiff can and will produce only those documents relevant to Trans Union in this
88 action in claims made in his complaint from 2002 forward. Asking to produce documents 10
89 years old is burdensome and irrelevant in this action to produce when they do not apply to Trans
90 Union and the allegations in the complaint.
91

92 Question 10- Plaintiff can and will produce only those documents relevant to Trans Union in this
93 action in claims made in his complaint from 2002 forward. Asking to produce documents 10
94 years old is burdensome and irrelevant in this action to produce when they do not apply to Trans
95 Union and the allegations in the complaint.
96

97 Question 11- Plaintiff can and will produce only those documents relevant to Trans Union in this
98 action in claims made in his complaint from 2002 forward. Asking to produce documents 10
99 years old is burdensome and irrelevant in this action to produce when they do not apply to Trans
100 Union and the allegations in the complaint. Producing credit card statements again produces a
101 security risk for the Plaintiff. Plaintiff fails to see the relevance of conversations or letters with
102 creditors or potential creditors not directly related to Trans Union and this action. Plaintiff will
103 produce documents directly relating to Trans Union and allegations in the complaint.
104

105 Question 12- Plaintiff will produce the names of individuals having knowledge of this case and
106 expert witness identification. However the Plaintiff has no way of knowing of any criminal
107 background of these individuals. Plaintiff will not be able to produce documents from courts,

decrees, pleadings etc of a criminal nature as the Plaintiff has no means to require those individuals to produce those documents.

Question 13- Only documents relevant to Trans Union and this action. Only if Trans Union was relevant in credit report use and or identified as the source of negative credit information.

Question 14- Only documents relevant to Trans Union and this action. Only if Trans Union was relevant in credit report use and or identified as the source of negative credit information.

Question 15-Only documents relevant to Trans Union and this action. Only if Trans Union was relevant in credit report use and or identified as the source of negative credit information.

Question 16- Plaintiff will discuss all new accounts opened since 2003

Question 17-No objection, as this would pertain to this action and Trans Union.

Question 18-This has been an ongoing issue with the Defendant as the Defendant has all documents sent to them and has provided copies of same to the Plaintiff. Plaintiff finds this information redundant as the Defendant already has letters of communication/dispute sent to them since 2003. Plaintiff does not mind answering relevant questions and producing documents but these have been produced and are in the possession of the Defendant. Plaintiff objects to rehashing the same information over again.

Question 19-No Objection

Question 20-No objection

Question 21- No Objection

Question 22- Only documents relevant to Trans Union and this action. Only if Trans Union was relevant in credit report use and or identified as the source of negative credit information. There is no pending litigation against any other credit-reporting agency.

Question 23- Only documents relevant to Trans Union and this action. Only if Trans Union was relevant in credit report use and or identified as the source of negative credit information. There is no pending litigation against any other credit-reporting agency.

Question 24- No objection,

Question 25- No objection,

Question 26- Only documents relevant to Trans Union and this action. Documents from 1999 forward would constitute as being burdensome and irrelevant in this action to produce when they do not apply to Trans Union and the allegations in this pending action. Plaintiff would be willing to produce documents from 2003 forward and only those of entities appearing in the Plaintiff's Trans Union credit report of any actions taken.

Question 27- No Objection

157 Question 28-Only documents relevant to Trans Union and this action. All documents from 1999
158 forward would constitute as being burdensome and irrelevant in this action to produce when they
159 do not apply to Trans Union and the allegations in this pending action. Plaintiff would be willing
160 to produce documents from 2003 forward and only those of entities appearing in the Plaintiff's
161 Trans Union credit report of any actions taken.

162
163 Question 29- Stipulation: Plaintiff has such parties however those findings are not complete and
164 Plaintiff and Defendant if inclined could reach an agreement as to when they would be produced.

165
166 Question 30- No objection.

167
168 Question 31- No objection.

169
170 Question 32- No objection.

171
172 Question 33- This has been an ongoing issue with the Defendant as the Defendant has all
173 documents sent to them since 2003 and has provided copies of same to the Plaintiff. Plaintiff
174 finds this information redundant as the Defendant already has letters of communication/dispute
175 sent to them since 2003. Plaintiff does not mind answering relevant questions and producing
176 documents but these have been produced and are in the possession of the Defendant. Plaintiff
177 objects to rehashing the same information over again.

178
179 Question 34- No objection

180
181 Question 35- No objection.

CERTIFICATE OF SERVICE

This is to certify that true and correct copies of the above and forgoing documents have been forwarded to the Defendant via e-mail, on this 29th day of April 2006.

Strasburger & Price

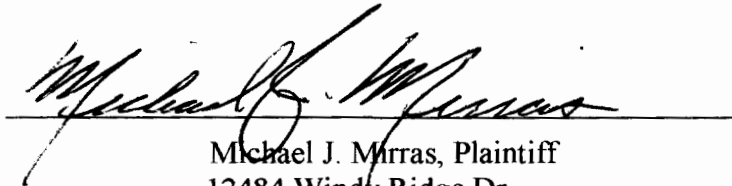
Marc Kirkland

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A handwritten signature in black ink, appearing to read "Michael J. Mirras", is written over a horizontal line.

Michael J. Mirras, Plaintiff

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McCalla, AL. 35111

205-938-1982